

## REMARKS/ARGUMENTS

This is a Response to the Office Action mailed June 4, 2003, in which a three (3) month Shortened Statutory Period for Response has been set, due to expire September 4, 2003. Enclosed is our check to cover the fee for a one-month extension of time, to October 4, 2003. Thirty-three (33) claims, including four (4) independent claims, were paid for in the application. Claims 1, 14, 27 and 31 have been amended. No new matter has been added to the application. No fee for additional claims is due by way of this Amendment. The Commissioner is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090. Claims 1-33 are pending.

### Objections

Claims 1, 14 and 27 were objected to because of informalities which are corrected by the amendments above.

### 35 U.S.C. §102(e) Rejections

Claims 1-33 were rejected under 35 U.S.C. §102(e) as being anticipated by Canini et al. (U.S. Patent No. 6,512,218).

Applicants traverse the rejection because Canini et al. is not prior art. Canini et al. has a U.S. filing date of November 2, 1999. As demonstrated by the Declarations Under 37 C.F.R. § 1.131 submitted herewith along with supporting exhibits, Applicants conceived of the invention prior to November 2, 1999, and diligently reduced the invention to practice by the filing of French patent application 99.16421 on December 23, 1999, from which the present application claims benefit. In particular, submitted herewith are Declarations from both Jean-Louis Massieu, one of the inventors, and Christian Lassaille, one of the patent agents substantively involved with the preparation of the corresponding French patent application. Those Declarations, along with the supporting exhibits, prove prior conception, and diligence at least from prior to November 2, 1999, through December 23, 1999.

Based on the above Declarations and supporting exhibits, Applicants believe the rejection of claims 1-33 under 35 U.S.C. § 102(e) over U.S. Patent 6,512,218 has been overcome. Withdrawal of this rejection is respectfully requested.


Conclusion

In light of the above amendments and remarks. Applicants respectfully submit that all pending claims are allowable. Applicants, therefore, respectfully request that the Examiner reconsider this application and timely allow all pending claims. Examiner Franklin is encouraged to contact Mr. Abramonte by telephone to discuss the above, if desired. If the Examiner notes any informalities in the claims, she is encouraged to contact Mr. Abramonte by telephone to expediently correct such informalities.

Respectfully submitted,

Jean-Louis Massieu et al.

Seed Intellectual Property Law Group PLLC



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Enclosure:

Postcard

Declaration of Christian Lassaille, with Exhibits A-E

Declaration of Jean-Louis Massieu, with Exhibits A-E

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